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BEFORE THE ARIZONA CORPORATION C

Arizona Corporation Commission

DOCKETED

APR 20 2011

**COMMISSIONERS**

GARY PIERCE, Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

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ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
INDIADA WATER COMPANY, INC., FOR  
APPROVAL OF A PERMANENT INCREASE IN  
ITS WATER RATES.

DOCKET NO. W-02031A-10-0168

IN THE MATTER OF THE APPLICATION OF  
ANTELOPE RUN WATER COMPANY FOR  
APPROVAL OF A PERMANENT INCREASE IN  
ITS WATER RATES.

DOCKET NO. W-02327A-10-0169

IN THE MATTER OF THE APPLICATION OF  
BOB B. WATKINS DBA EAST SLOPE WATER  
COMPANY FOR APPROVAL OF A  
PERMANENT INCREASE IN ITS WATER  
RATES.

DOCKET NO. W-01906A-10-0170

IN THE MATTER OF THE APPLICATION OF  
BOB B. WATKINS DBA EAST SLOPE WATER  
COMPANY, INDIADA WATER COMPANY,  
INC., AND ANTELOPE RUN WATER COMPANY  
FOR APPROVAL OF A TRANSFER OF ASSETS  
AND CERTIFICATES OF CONVENIENCE AND  
NECESSITY.

DOCKET NO. W-01906A-10-0171  
DOCKET NO. W-02031A-10-0171  
DOCKET NO. W-02327A-10-0171

IN THE MATTER OF THE APPLICATION OF  
BOB B. WATKINS DBA EAST SLOPE WATER  
COMPANY FOR AUTHORITY TO INCUR  
LONG-TERM DEBT.

DOCKET NO. W-01906A-10-0183

IN THE MATTER OF THE APPLICATION OF  
INDIADA WATER COMPANY, INC. FOR  
AUTHORITY TO INCUR LONG-TERM DEBT.

DOCKET NO. W-02031A-10-0184

IN THE MATTER OF THE APPLICATION OF  
ANTELOPE RUN WATER COMPANY FOR  
AUTHORITY TO INCUR LONG-TERM DEBT.

DOCKET NO. W-02327A-10-0185

**STAFF'S RESPONSE**

The Utilities Division ("Staff") of the Arizona Corporation Commission ("Commission") files this reply to the East Slope Water Company, Indiada Water Company and Antelope Run Water (collectively the Companies) response to Staff's Motion to Suspend the Time Clock.

1 Contrary to the assertions made by the Companies in its response to the Staff's Motion,  
2 responses have not been timely received. For example, Staff's first set of data responses were  
3 outstanding from September 29, 2010 until recently. The response to Staff's second set of data  
4 responses that were issued on March 3, 2011, were received April 1, 2011 and were incomplete.<sup>1</sup>  
5 The remainder of the responses were received a week later. Given the historical delays in receiving  
6 responses to Staff's data requests, Staff maintains that suspension of the time clock is necessary in the  
7 docket.

8 During the discovery phase, Staff uses both formal and informal data requests. For example,  
9 if an answer is unclear, it is not uncommon for Staff to engage in dialogue with a utility by either a  
10 phone call or an email for clarification. In this instance, the Companies have insisted that all data  
11 responses be formal and sent through counsel. The Companies provided conflicting information in  
12 response to certain data requests and while Staff will pursue a meeting with the Companies to clarify,  
13 the process would be easy if the Staff engineer could contact the Companies' engineer or operator  
14 instead of sending rounds and rounds of data requests. This delays the discovery process.

15 The delays in the discovery process continue to hamper Staff's ability to process these  
16 applications. Staff continues to urge the granting of its motion to suspend the time clock.

17 RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of April, 2011.  
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21 Robin R. Mitchell  
22 Attorney, Legal Division  
23 Arizona Corporation Commission  
24 1200 West Washington Street  
25 Phoenix, Arizona 85007  
26 (602) 542-3402

27 <sup>1</sup> The Companies requested and received a two-week extension to respond and did not meet that extension date. The  
28 responses to Staff's second set of data requests were not received by Staff until April 4, 2011. Apparently the Companies  
delivered the responses to the Commission's docket control on April 1, 2011; docket control was unable to process and  
was unsuccessful in reaching the Companies for further instruction and thus returned the responses to the Companies.

1 Original and thirteen (13) copies  
2 of the foregoing were filed this  
20<sup>th</sup> day of April, 2011 with:

3 Docket Control  
4 Arizona Corporation Commission  
1200 West Washington Street  
5 Phoenix, Arizona 85007

6 Copies of the foregoing were mailed  
this 21st day of April, 2011 to:

7 Steve Wene, Esq.  
8 MOYES STOREY, LTD  
1850 North Central Avenue, Suite 1100  
9 Phoenix, Arizona 85004

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